

**Before the
Federal Communications Commission
Washington, D.C. 20554**

Ayal Salame
Licensee of Station WPMB843
Steelton, Pennsylvania

NOV No.: V201432400020

Released: April 17, 2014

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Ayala Salame, licensee of Land Mobile Radio Service Station WPMB843 in Steelton, Pennsylvania. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violations noted herein.²

a. 47 C.F.R. § 1.903(a): “Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section.” On March 21, 2014, agents of the Philadelphia Office found that Ayala Salame was operating an unauthorized base station (FB) on the frequency 152.315 MHz from an unauthorized location in Steelton, Pennsylvania, near the coordinates 40° 13’ 49” North Latitude and 076° 50’ 2” West Longitude.³

³ At the time of the inspection, the license for Station WPMB843 authorized Ayal Salame to operate repeater stations (FB2) on the frequency 152.315 MHz at the coordinates 40° 11' 31.3" North Latitude 076° 52' 3.9" West Longitude and at the coordinates 39° 58' 25.8" North Latitude 076° 42' 13.8" West Longitude. WPMB843 did not include any authorization to operate a fixed base (FB).

Federal Communications Commission

- b. 47 C.F.R. § 90.425(a): “Station identification (a) *Identification procedure*. Except as provided for in paragraphs (d) and (e) of this section, each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety Pool) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code in accordance with paragraph (b) of this section.” On March 21, 2014, agents from the Philadelphia Office monitored the station from 9:45 a.m. until 10:45 a.m. and observed that it failed to identify station WPMB843 once each 15 minutes during that time period.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,⁴ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Ayala Salame must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁵

4. In accordance with Section 1.16 of the Rules, we direct Ayala Salame to support its response to this Notice with a signed and dated affidavit or declaration under penalty of perjury, verifying the truth and accuracy of the information therein,⁶ and confirming that all of the information requested by this Notice which is in the licensee’s possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁷

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

⁴ 47 U.S.C. § 308(b).

⁵ 47 C.F.R. § 1.89(c).

⁶ Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

⁷ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

Federal Communications Commission

Federal Communications Commission
Philadelphia Office
One Oxford Valley Building Office, Suite 404
2300 E. Lincoln Highway
Langhorne, Pennsylvania 19047

6. This Notice shall be sent to Ayal Salame at his address of record.

7. The Privacy Act of 1974⁸ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

David C. Dombrowski
District Director
Philadelphia Office
Northeast Region
Enforcement Bureau

⁸ P.L. 93-579, 5 U.S.C. § 552a(e)(3).